

REMARKS

Claims 1-42 were pending in this application.

Claim 2 has been cancelled (the recitations of which having been incorporated into Claim 1), and Claims 1, 12, 13, 19 and 21 have been amended. Claims 12, 13, 19 and 21 have been amended to delete that which was defined by comparable claims of U.S. Patent No. 6,423,780, from the subject application continues in part.

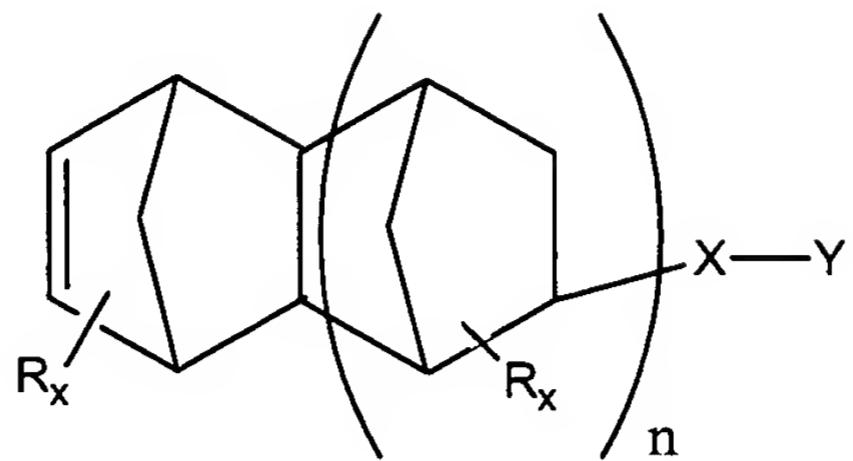
Accordingly, Claims 1 and 3-42 remain pending herein.

Claims 1-42 have been rejected. Of Course, Applicants' cancellation of Claim 2 renders moot the rejection thereof. As regards the remaining rejections of Claims 1 and 3-42, Applicants respond as follows.

Claims 1-42 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,455,650, for the reasons given at pages 3-4 of the Action.

Applicants traverse the grounds of this rejection.

The invention as defined for instance by Claim 1 provides for a heterobifunctional monomer of the following structure:



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-O-NR-S(O)-, -O-NR-S(O)-O-, -O-NR-S(O)-NR-, -O-NR-S(O)<sub>2</sub>-O-, -O-NR-S(O)<sub>2</sub>-NR-, -O-NR-S(O)<sub>2</sub>-, -O-P(O)R<sub>2</sub>-, -S-P(O)R<sub>2</sub>-, -NR-P(O)R<sub>2</sub>-, wherein each R is independently hydrogen, alkyl or substituted alkyl, and combinations of any two or more thereof, Y is a maleimide, a nadimide, an itaconimide, an epoxy, a cyanate ester-substituted aryl, a propargyl-substituted aryl, an ethynyl-substituted aryl, a (meth)acrylate, an unsaturated anhydride, a vinyl ether, a vinyl ester, a divinyl compound, an allyl amide, a styrene, an oxazoline, or a benzoxazine, n is 0 to about 8, and each x is independently 0, 1, or 2.

In contrast, the general object of U.S. Patent No. 6,455,650 is to provide a polymerizable polycycloolefin composition comprising a high activity catalyst system. More specifically, other objects provide polymers with low levels of residual Group 10 metals; a process for polymerizing polycycloolefin monomers in contact with a high activity Group 10 catalyst; a process for polymerizing polycycloolefin monomers in solution in contact with a high activity Group 10 catalyst system; a process for polymerizing polycycloolefin monomers in mass in contact with a high activity Group 10 catalyst system; a high activity single or multicomponent Group 10 catalyst system for the polymerization of polycycloolefin monomers; and a two component catalyst Group 10 system comprising a procatalyst and

an activator. These objects are reportedly achieved by contacting a polymerizable polycycloolefin monomer charge with a high activity catalyst system comprising a Group 10 metal cation complex and a weakly coordinating counteranion complex of a certain formula. The monomer charge can be neat or in solution, and is contacted with a preformed catalyst of that formula. Alternatively, the catalyst can be formed in situ by admixing the catalyst forming components in the monomer charge.

While U.S. Patent No. 6,455,650 provides many objects and a way in which to achieve those objects, that patent document does not disclose, teach or suggest the invention defined by Claim 1 or the remaining independent claims. Moreover, looking at that patent document would not motivate one of ordinary skill in the art to even try to reach the invention defined by the invention claimed in the subject application.

Accordingly, the Sections 102 rejections should no longer be maintained and withdrawal thereof is requested.

Under the judicially created doctrine of obviousness-type double patenting, Claims 1-42 stand rejected as allegedly being unpatentable over Claims 1-37 of U.S. Patent No. 6,423,780.

Without conceding the propriety of the bases for these double patenting rejections, Applicants are prepared to submit a

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Terminal Disclaimer to remove U.S. Patent No. 6,423,780 from the rejection set forth above, upon the withdrawal of the Section 102(e) rejections of Claims 1-42.

CONCLUSION

In view of the above, the present invention is patentably distinct from the documents of record. Accordingly, favorable reconsideration is respectfully requested.

Applicants' undersigned attorney may be reached by telephone at (860) 571-5001, by facsimile at (860) 571-5028, or by email at steve.bauman@us.henkel.com. All correspondence should continue to be directed to the address given below.

Respectfully submitted,



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